## **PATENT COOPERATION TREATY**

# **PCT**

## INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference See Notification of Transmitta			•				
PI-00642-PCT	FOR FURTHER	FOR FURTHER ACTION Preliminary Examination Report (Form PCT/IPEA/416)					
International application No	. International filing d	ate (day/month/year)	Priority date (day/month/year)				
PCT/DE 03/03665	05 Nov 2003		08 Nov 2002				
International Patent Classifi	ication (IPC) or national classific	ation and IPC					
B60J7/12							
Applicant							
WILHELM KARMANN GME	sH et al.						
1. This report is the interna	ational preliminary examination r	report established by this Inte	rnational Preliminary Examining				
Authority and transmitte	ed to the applicant according to A	Article 36.					
2. This REPORT consists	of a total of 4 sheets including	this cover sheet.					
			ion, claims and/or drawings which have ations authorized by this Authority (see				
Deen amended and	ection 607 of the Administrative I		dions authorized by this Authority (see				
Trule 70. To and Se	Chairman and an arrangement of the chairman and arrangement of the chairman arrangement of	instructions under the Fory.					
These annexes co	nsist of a total of 1 sheets.						
3. This report contains ind	ications relating to the following	items:					
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Rasis of the							
I ☑ Basis of the	report						
II 🗂 Priority							
III   Non-establis	shment of a opinion with regard	to novelty, inventive step and	I industrial applicability				
IV Lack of unity	U						
	tatement under Article 35(2) with citations and explanations supp		step or industrial				
applicability	, citations and explanations supp	porting such statement					
VI Certain docu	Certain documents cited						
VII Certain defe	Certain defects in the international application						
VIII 🦳 Certain obse	VIII						
Date of submission of the demand		Date of completion of this report					
14 July 2004		21 Feb 2005					
	of the designated International	Authorized officer					
Preliminary Examining Authority: European Patent Office		Cabasid 14	(analy Everynous				
D-80298 München		Schmid, K	(seal: European				
(Logo) Phone: +49 89 2399 – 0 Telex: 523656 cpmu d			Patent Office)				
Fav. + 40 80 230	Fav: + 40.80.2309 - 4465 Phone No. +49.89.2399.8876						



# INTERNATIONAL PRELIMINARY EXAMINATION REPORT

the drawings,

Form PCT/IPEA/409 (January 2004)

sheets:

International Application No. PCT/DE 03/03665

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1. With regard to the elements of the international application (substitute sheets which have been furnished to the receiving office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to the report since they do not contain amendments (rules 70.16 and 70.17)): Description, pages: 1-21 as originally filed Claims, Nos.: 2-29 as originally filed received on 14 July 2004, with correspondence of 09 July 2004 Drawings, sheets: 1/20-20/20 as originally filed 2. With regard to the language: All of the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item. The elements were available or furnished to this Authority in the following language: which the language of the translation furnished for purposes of international search (Rule 23.1(b)). the language of the publication of the international application (Rule 48.3(b)). the language of the translation furnished for the purposes of international preliminary examination (Rules 55.2 and/or 55.3). 3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing: contained in the international application in written form. filed together with the international application in computer readable form. furnished subsequently to this Authority in written form. furnished subsequently to this Authority in computer readable form. ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished. ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished. 4. The amendments have resulted in the cancellation of: the description, pages: the claims. Nos.:



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5.		This report has been established as if (some of) the amendments had not been made, since they have been considered by the Authority to go beyond the disclosure as filed (Rule 70.2(c)).
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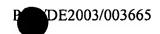
(Any replacement sheets containing such amendments must be referred to under Item 1.; they must be annexed to this report).

- 6. Additional observations, if necessary:
- V. Reasoned statement under Article 35(2) with regard to novelty, inventive step and industrial applicability; citations and explanations supporting such statement
- 1. Statement

Novelty (N)	yes:	claims	1-29
	no:	claims	
Inventive Step (IS)	yes:	claims	1-29
	no:	claims	
Industrial Applicability (IA)	yes:	claims	1-29
	no:	claims	

2. Citations and explanations see supplemental sheet





# INTERNATIONAL PRELIMINARY EXAMINATION REPORT SUPPLEMENTARY PAGE International Application No. PCT/DE03/03665

### Re Item V

### Claim 1

Document DE-A 199 55 404 (D1), which is regarded as the closest state of the art, discloses a generic convertible top for a convertible vehicle.

The problem to be solved consists of reducing the material demand and the packing height in a folded position when the top is down in the case of a soft top (page 2, paragraph 3).

The solution to this problem consists of converting the rear window and the outer roof frame profiles of the rear-end roof segment rearward into a folded position in an essentially non-rotational movement with both moving in the same direction.

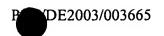
The known prior art does not give any hint of such kinematics for the convertible top, and therefore the content of Claim 1 should meet the requirements of Article 33 PCT.

#### **Claims 2-29**

The features of the dependent Claims 2 - 29 relate to refinements of the method according to Claim 1 and therefore Claims 2 - 29 should also meet the requirements of Article 33 PCT.



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### New Patent Claim 1

1. Convertible top for a convertible vehicle (2) having a rear-end roof segment (6) and at least one additional roof segment (7, 8), with the roof segments (6, 7, 8) being foldable in accordion fashion via a convertible top mechanism, and at least the rear-end roof segment (6) being designed with a flexible roof membrane (3) forming a soft top, the roof membrane being accommodated between outer roof frame profiles (9, 10, 11) arranged in symmetrical opposition with a vehicle longitudinal axis (33) and a dimensionally stable rear window (12),

characterized in that

the rear window (12) and the outer roof frame profiles (9) which are assigned to the rear-end roof segment (6) are converted into a folded position toward the rear when the top (1) is down or is converted out of the folded position toward the front in an essentially non-rotational movement in the same direction.